

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CIVIL RIGHTS DEPARTMENT,

Plaintiff,

v.

GRIMMWAY ENTERPRISES, INC.,

Defendant.

No. 2:21-cv-01552 DAD AC

ORDER

Pending before the court is a “motion for discovery dispute,” duplicatively noticed at ECF No.s 56 and 57. The motion, which is before the undersigned pursuant to E.D. Cal. Local Rule 302(c)(1), was set for hearing on the papers on Tuesday, April 16, 2024. ECF No. 56. The document noticing the motion states:

The parties have met and conferred regarding the interrogatories and requests for production underlying this motion, consistent with Local Rule 251(b). CRD’s counsel will work to secure cooperation of counsel for Defendant Grimmway Enterprises, Inc. in preparing and executing a Joint Statement re Discovery Disagreement under Local Rule 251(c) and filing withing fourteen (14) days of the scheduled hearing.

ECF No. 56 at 2.


Local Rule 251(b) establishes requirements for any party bringing a motion pursuant to Federal Rules of Civil Procedure 26 through 37, including the requirement that the parties meet and confer and file a joint discovery statement. Here, no joint discovery statement has been filed,

1 despite plaintiff's acknowledgement that one was required. Because plaintiff, the moving party,  
2 did not satisfy Local Rule 251(b)'s meet and confer requirement and the joint discovery statement  
3 requirement, the motion will be denied without prejudice. See e.g., U.S. v. Molen, 2012 WL  
4 5940383, at \*1 (E.D.Cal. Nov. 27, 2012) (where a party fails to comply with Local Rule 251,  
5 discovery motions are denied without prejudice to re-filing).

6 For the reasons state above, IT IS HEREBY ORDERED that the "motion for discovery  
7 dispute" duplicatively noticed at ECF No. 56 and ECF No. 57 is DENIED without prejudice.

8 IT IS SO ORDERED.

9 DATE: April 17, 2024

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11 ALLISON CLAIRE  
12 UNITED STATES MAGISTRATE JUDGE  
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